

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 07-10-30**

Date Published: October 25, 2007
For Work Week Commencing: October 29, 2007
Commission Meeting: October 30, 2007, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. BLACK HILLS POWER D2007.10.118 (Eric)

On October 9, 2007, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on October 10, 2007. Requests for hearing were due by October 30, 2007. No requests have been

received. This application will increase revenues by \$108,277 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Probable motion: Grant BHP's Quarterly Fuel Rate Rider application.

2. Russell L. Doty and Qwest Customers v. Qwest Corporation D2006.10.143 (Jim)

Re-establish the currently-suspended procedural schedule.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2007.10.124 – 3 Rivers Telephone Cooperative, Inc. – Petition for arbitration of interconnection agreement open issues with Alltel Communications, Inc. – Appoint arbitrator pursuant to ARM 38.5.4016 and - 4017. (10-30-07)
2. Northern Tier Transmission Group's (NTTG) Cost Allocation Committee – Appoint staff to serve on NTTG's Cost Allocation Committee. (10/30/07)
3. D2007.7.79 – Montana-Dakota Utilities Co. – Application for Authority to Establish Increased Rates for Electric Service – Discuss the possibility of additional Issues. (10/30/07)
4. D2005.4.49 – Mountain Water Company – Compliance filing on shifting cost responsibility for public fire protection – Request the 30-day extension pursuant to section 2-4-623(1), MCA. (10/30/07)
5. Implementing section 2-4-623(1) and consideration of delegations to staff generally – Continue the discussion of delegated authority to staff, including whether the Commission wants to delegate implementation of 2-4-623(1). (10/30/07)
6. Placeholder - Colstrip Energy Limited Partnership (CELP) – CELP v. NorthWestern Energy and PSC (Judicial Review, 16th Judicial District) – Possible revised stipulation to present to the Commission. (10/30/07)
7. Current issues related to PSC staff (legal and other) – Discuss issues related to lawyer staffing and, as it may be related to the discussion of lawyer staffing, discuss what the Commission has in mind regarding the use of

Nina's position. Although not called for this purpose, the discussion may range into other PSC staffing issues as well. (10/30/07)

Other Meetings

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Citizens Telecommunications N2007.10.121 (Scott)

On October 16, 2007, Citizens Filed Advice Letter No. MT-07-12. The purpose of this filing is to correct a typographical error in the Montana Telephone Access Program Fee. This filing does not impact the customer's billing or service. The Company requested that this filing become effective on November 16, 2007.

2. Qwest N2007.10.123 (Scott)

On October 19, 2007, Qwest filed Tariff Transmittal 07-05, Update of Call Rejection and Selective Call Forwarding Definitions. Currently, the description for Call Rejection indicates that a customer is limited to a list of up to 15 telephone numbers used to reject call attempts from those telephone numbers on that list. The description for Selective Call Forwarding indicates that a customer is limited to a list of up to 15 telephone numbers whereby calls originating from numbers on the list can be forwarded to a local or long distance number selected by the customer. In addition to the current switched-based version of these two features, Qwest is deploying a new Advanced Intelligent Network (AIN) version of these two features on

November 19, 2007. With the AIN version of these features, customers will be able to maintain a list of up to 25 numbers to be used with these two services.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

1. NorthWestern Energy D2006.6.94 / D2007.6.59 (Martin)

On October 12, 2007, NorthWestern Energy filed a motion for protective order (amended) to govern disclosure of the details of monthly coal cost information and supporting documentation for the period April 2006 to March 2007. The information is expected to be filed in the above PSC consolidated dockets, which are dockets pertaining to NorthWestern Energy's annual qualifying facility avoided cost compliance filings for the years 2006 and 2007 (consolidated by the PSC).

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2007.10.122 – Citizens Telecommunications Company of Montana and Sprint Communications Company L.P. – Application for Approval of Agreement for Local Interconnection
N2007.10.123 – Qwest Corporation – Tariff Transmittal 07-05, Update of Call Rejection and Selective Call Forwarding Definitions
D2007.10.124 – 3 Rivers Telephone Cooperative, Inc. – Petition for Arbitration of Interconnection Agreement with Alltel Communications Inc.